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Held at Headquarters, New York, on Wednesday, 5 October 2016, at 3 p.m.

Chair: Mr. Drobnjak ..... (Croatia)

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The meeting was called to order at 3 p.m.

Agenda item 58: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*)

Hearing of petitioners (*continued*)

1. **The Chair** said that, in accordance with the Committee's usual practice, petitioners would be invited to take a place at the petitioners' table and would withdraw after making their statements. He reminded all speakers to observe decorum, refrain from personal remarks and limit themselves to the agenda items under consideration.

Question of Western Sahara (*continued*) (A/C.4/71/7)

2. **Mr. Lakhrif** (Member of the Moroccan Parliament) outlined his career and experience as a Saharan in public office, saying that it conferred on him the legitimate right and authority to address matters at the national and international levels on behalf of all those Saharans who had elected him by universal secret ballot. Indeed, only Saharans who had been transparently and democratically elected could claim to represent the Saharan people. The leaders of the Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro (Frente Polisario), on the other hand, were unqualified on that score, given in particular that the majority of Saharans lived in the southern provinces of Morocco. Those Saharans, he predicted, would turn out in high numbers to vote in his country's upcoming parliamentary elections in a show of democracy and commitment to Moroccan territorial integrity.

3. **Mr. Dethomas**, speaking in his personal capacity, said that humanitarian assistance must remain separated from politics and that the registration of refugees was a fundamental component of international protection and the right of persons who might be of concern to the United Nations High Commissioner for Refugees (UNHCR). Referring to findings reported by the European Anti-Fraud Office (OLAF), he said that the persistent failure to register the Saharan population in the Tindouf camps had led to a surplus in the humanitarian aid destined for those camps, as the amount had been calculated on the basis of inaccurate figures provided by the Algerian authorities. The non-registration had thus facilitated the long-standing fraudulent and systemic diversion of that surplus to sub-Saharan markets in a process that pointed to the complicity of the Frente Polisario, which at the same time, shockingly, maintained the refugees in its care in a state of chronic malnutrition. Registration of the Tindouf population was not only bound up with donor confidence and respect for humanitarian law but would also increase the transparency needed for a lasting solution to a conflict in a region already beset by problems affecting its development.

4. **Ms. Eads** (Capitol Hill Prayer Partners), referring to the diminished opportunities for education available to Sahrawi youth in the Tindouf camps, said that education was no longer a priority for the Frente Polisario, which was more focused on embezzling international aid, including that intended for education. The hope for the future provided by education was consequently being replaced by a vacuum of hopelessness and frustration among those young people, leading in some cases to involvement in organized crime and ultimately creating a reliance on governments and foreign aid for the necessities of life. A shift to self-reliance would widen the options for youth and promote their adaptation to civil society, in turn reaping benefits for their people. Until the Sahrawis in the Tindouf camps were educated to see themselves as other than victims, the likelihood of progress towards a peaceful settlement of the question of Western Sahara would remain slim. Education had to be emphasized as a means of resolution. It would give voice to the Sahrawi youth in determining their own future, and allow them to communicate on an equal footing with their young compatriots in Morocco.

5. **Mr. Gil Garre** (International Security Observatory), recalling terrorist attacks by the Frente Polisario against Spanish citizens in the past, said that its current involvement in organized crime and local terrorism threatened to exacerbate the existing violence and instability in the Sahel region, and that attempts by jihadist groups to join in the Western Sahara conflict in furtherance of their own aims posed an added danger. While democratic mechanisms introduced by Morocco had done much to improve transparency and respect for human rights in that country, the Frente Polisario leaders persisted in kidnapping, torturing or imprisoning anyone who opposed them in Tindouf; and

the United Nations was doing nothing to stop them. The Committee should therefore effectively lead the efforts towards a solution, such as that embodied in the autonomy plan proposed by Morocco in 2007 and qualified by the Security Council as serious and credible. Indeed, the plan would augur well for stability, security and sustainable development in the region through the establishment of the rule of law and respect for all the human rights thus far constantly violated by the Frente Polisario.

6. **Mr. Cameron** (World Action for Refugees) said that independent observers had long been aware of the systematic embezzlement of supplies donated to cover the minimum needs for the survival of those living in the Tindouf camps, whose maltreatment was borne out by a series of dismal health-related statistics. He lamented the efforts to hold to account the criminal groups behind that embezzlement, which some suspected to be an "inside job", with others speculating in addition that camp inhabitants were inadequately cared for as part of a deliberate scheme to weaken and control them. It was for the Algerian authorities and the Frente Polisario alone to end that situation by clamping down on those benefiting at the expense of the Tindouf inhabitants and by conducting a credible census to facilitate the assessment of aid requirements in the camps. Only a healthy population would be equipped to determine its own fate. He expressed support for the Moroccan autonomy proposal as the best practical way forward to a lasting political solution to the ongoing dispute in the region.

7. **Mr. Rosemarine**, speaking in his personal capacity as an international law specialist, likewise expressed support for that proposal, which he said was fair and flexible in view of its emphasis on negotiations for a settlement tailored to the true needs of the Sahrawis in their quest for self-determination. It was also far-sighted in its stated aims and furthermore guaranteed a leading role for Sahrawis in the region's institutions, without discrimination or exclusion. Morocco could be trusted to deliver on the proposal, as amply demonstrated by the lasting democratic reform and economic growth it had achieved for its entire population, without bloodshed, in the wake of its own trials and tribulations. Citing the outcome of the recent "Brexit" vote held in the United Kingdom, he cautioned against any move by Western Sahara to break away from a stable and established economy to face instead the uncertainties of economic independence. To do so, he suggested, would promise disaster for a Territory with such a tiny population and minute economy.

8. **Mr. Martínez-Campillo**, speaking in his personal capacity, and alluding to the age-old allegiance of the formerly nomadic Saharan tribes to the Moroccan throne, endorsed the Moroccan proposal for resolving the Western Sahara conflict, a proposal he described as viable, intelligent and realistic, aimed as it was at the full integration of the Saharan population and its rich cultural heritage into Moroccan society. Already a tried and tested model for ushering in democracy, public freedom and the rule of law elsewhere, the combination of autonomy and integration was also a response to new challenges to national sovereignty. Morocco offered the guarantee of rising to such challenges by working for sustainable development, economic and gender equality, equal opportunity and poverty eradication. It had, moreover, answered the call for a solution with its proposal, incorporating it into its Constitution and shouldering its responsibility on that score with great aplomb. All that remained now was for that well-received proposal to be translated into reality on the ground for the benefit of the Saharan people and region.

9. **Ms. Huff** (Teach the Children International) said that the long involvement of the Frente Polisario leadership in the theft of humanitarian aid destined for the Tindouf camps — for which she could vouch as someone responsible for aid that had gone missing a decade earlier — revealed its corruption and presaged its failure were it to be given any greater administrative responsibilities, as it would clearly pursue its own interests rather than the good of the people whom it purported to serve. Indeed, history was replete with examples of corrupt leaders who, having fought for and won independence, plundered their country's resources for their own benefit and wrought devastation on their people as a result. Echoing the words of an African historian, she asked whether there were credible negotiators in the Tindouf camps for the Sahrawi people or whether the ground on which they stood was already cracked.

10. **Ms. Pearson** (Protected Families) said that those sequestered in isolated camps for over 40 years did not meet the United Nations definition of refugees, which

essentially ruled out the negotiation of a solution to the problem with their captors. The Frente Polisario used the camp inhabitants as human shields and hostages in order to supply its guerrillas with items siphoned from donations sanctioned by the United Nations, which neither took stock of nor tracked shipping containers destined for the camps. It was furthermore scandalous that thousands of camp residents should be deprived of the much-needed benefit of disability aids shipped in containers that had gone missing. She therefore implored those serving the disability community to include repatriation efforts in their mission, adding that the Sahrawi hostages should be escorted out of the camps to be reunited with their families and to govern themselves in their welcoming homeland in line with the autonomy plan proposed by Morocco.

11. **Mr. Lygeros**, speaking in his personal capacity as a professor and strategic analyst, said that the lack of representativeness of the Frente Polisario was a fundamental problem insofar as it prevented resolution of the conflict in Western Sahara through constructive dialogue with a structured entity. The Frente Polisario continued to hide behind the lack of data on the number of refugees in the Tindouf camps, and its new Secretary-General, a radical belligerent and fugitive from Spanish justice, had been undemocratically elected. Such representativeness was unacceptable to human rights defenders and also had consequences for the status of the Sahrawi Arab Democratic Republic which was now effectively powerless. Indeed, numerous African Union members had withdrawn their recognition of the Frente Polisario and were calling for the Republic's suspension from the Union, paving the way for the return of Morocco to the membership. Those developments showed the way forward to a non-violent resolution of the conflict and the liberation of the Tindouf population from the inhumanity and extreme influences of the totalitarian Frente Polisario.

12. **Ms. Uddin**, speaking in her personal capacity, said that the question of Western Sahara was an abandoned conflict that called for international attention in order to forestall disaster. She described as heart-breaking the failure to resolve that conflict and end the suffering of innocent people, most of them women and children, and wondered what criteria were used as a basis for the distribution of humanitarian aid to Tindouf, given that the precise number of refugees was unknown. Why, she asked, was the United Nations not responsible for the distribution and monitoring of that aid in the same way as it was elsewhere? She agreed that the Moroccan autonomy proposal was the best path to self-determination for the Sahrawis stranded in Tindouf and, in the light of the region's volatility, urged the Security Council to address the conflict without delay.

13. **Ms. Chavez Cossio**, speaking in her personal capacity as a lawyer, politician and former Peruvian congresswoman, said it was regrettable that Algeria should have actively continued since 1973, through its backing of the Frente Polisario and the Sahrawi Arab Democratic Republic, to hinder the legitimate territorial claims of Morocco over Western Sahara, which in recent years had attracted wide-scale international support, including that of her own Government. The Sahrawi Arab Democratic Republic was, moreover, a fictitious entity that lacked the three elements needed for it to qualify as a State, namely people, territory and sovereign power, and indeed it had never been admitted as a member of the United Nations or of Latin American interregional cooperation forums involving Arab and African countries, and had only two months earlier been disavowed by a majority of the members of the African Union.

14. In the Tindouf camps, the precarious living conditions and daily occurrence of human rights violations under the iron hand of the Frente Polisario leadership were in sharp contrast to the life of freedom and well-being enjoyed by the Saharan population in the southern provinces of Morocco, 70 percent of whom had flocked in 2015 to participate in municipal elections. The OLAF report had implicated Algeria in the Frente Polisario embezzlement of humanitarian aid destined for those held captive in Tindouf. Morocco, on the other hand, was an ally for global and regional peace in a world ever more threatened by terrorism disguised as religion. The Moroccan proposal for the autonomy of its Saharan provinces deserved support as a definitive solution to a contrived conflict that was holding back the development and integration of the Maghreb.

15. **Ms. Stame Cervone** (Centrist Democratic International Women) said that the testimonies she herself had gathered from individuals who had escaped the Tindouf camps painted the tragic circumstances of the families held hostage in those makeshift camps for

what now amounted to over 40 years. It was indeed a miracle that anyone should survive such dire conditions and in such a hot and inhospitable desert region, with women, children and older persons invariably suffering the most. Surrounded as they were by Frente Polisario militias to prevent escapes, the camps were effectively a vast open-air prison where the inhabitants suffered in silence, their stories untold. She described three typical cases of the myriad human rights abuses endured by camp inhabitants at the hands of the Frente Polisario, two of which had been drawn to the attention of the United Nations, thus far without response. The third, involving the torture and expulsion of a former Frente Polisario police official to Mauritania, remained similarly unresolved.

16. **Ms. Daoudi** (Sahara Media Center) said that non-governmental human rights organizations, which regularly called on the Moroccan Government for the release of prisoners arrested during the operation to dismantle the Gdim Izik protest camp, persistently failed to mention the 11 Moroccan victims whose throats had been slit. Protesters defended by those NGOs had taken evil pleasure in defiling the bodies of those victims, creating a scene reminiscent of the world's worst terrorist incidents seen on videos available on the Internet. Surely unarmed security personnel involved in dismantling the camp and civilians risking their lives as ambulance drivers to help others were protected by international law. On what moral grounds could NGOs call for the release of executioners without thought for the families of their victims and without condemning the actions to which those victims had been subjected? The failure of those NGOs on that score called into question their objectivity and impartiality, for the dead were equally entitled to justice. Those responsible for the assassinations must be held accountable for their crime through due process.

17. Furthermore, in a lawless area between Morocco and Mauritania, members of the Frente Polisario had established a vast arms and drug trafficking network, recently uncovered by Moroccan security forces.

18. **Mr. Domingues Rodrigues**, speaking in his personal capacity as a Belgian lawyer at the behest of several European humanitarian NGOs, said that the monitoring in place to prevent the proven misappropriation by some Frente Polisario leaders of the humanitarian aid destined for the Tindouf refugee camps was unfortunately not as effective as initially thought, judging by recent press reports that significant amounts of food and medicine forming part of that aid had been detected in Mauritania in a new episode that was no doubt the tip of an iceberg. With a view to counteracting such episodes, two human rights associations in Europe had proposed a third measure in addition to those of impeding the fraudsters by bringing them to justice and conducting a census in the Tindouf camps to gauge the amount of aid needed, which was that humanitarian aid should be delivered directly to its legitimate beneficiaries, without the involvement of middlemen. He was hopeful that the Committee could assist on that score, as well as in determining whether the value added tax to the tune of one million euros apparently levied by the Algerian authorities on local goods purchased for Saharan refugees was in some way deployed for the benefit of those refugees, who did not deserve to be further penalized.

19. **Ms. Laaroussi**, speaking in her personal capacity as an civil society activist, recalled the historic day in November 2015 when King Mohammed VI of Morocco had renewed his commitment to the development model for the southern provinces under which Saharans ran their own affairs. He had furthermore stated that democratically elected regional officials enjoyed legitimacy as the true representatives of the inhabitants of those provinces vis-à-vis national institutions and the international community. In short, only those chosen directly by the Saharan population in free elections were qualified to represent Saharans and oversee the region's development for the benefit of its inhabitants. In the municipal elections held in 2015, various seats had been won by Saharans, including a former camp inhabitant who been elected as a council leader. As the King had also said, advanced regionalization had been transformed into reality through the institutions and prerogatives established to further it. Such decentralization of powers, moreover, complemented the Moroccan proposal for a definitive solution to the territorial conflict. Morocco welcomed all its citizens with open arms, signalling that it was time to move forward from the past.

20. **Mr. Bouchakouk** (Association citoyenneté et développement humain), referring to the recent nomination of the new Secretary-General of the Frente

Polisario and President of the Saharan Arab Democratic Republic, said that he had been the only candidate for those positions and that no votes had been cast against him by the lackeys selected to take part in his sham election. Their fear of the consequences for themselves and their families should they have dared to dissent was evidence of the iron discipline prevailing within the ranks of the Frente Polisario. The figures for the results of those elections were as those for the number of camp inhabitants, which had been recorded as static for 40 years, as if no new births or deaths had occurred. He wondered why a so-called "democratic" republic, albeit a phantom, should not have organized elections by universal suffrage and furthermore recalled that its new President for life was wanted by the Spanish authorities to answer cases lodged against him decades earlier by Saharans for gross human rights violations, rape and sexual abuse, but had escaped retribution through the protection of his Algerian bosses. Such was the nature of the Frente Polisario separatist leaders appealing to the Committee for its support.

21. **Mr. Aidara** (L'Observatoire des menaces terroristes, des radicalismes, des risques criminels et cindyniques of the Center for Diplomatic and Strategic Studies, Dakar, Senegal) said that a State incapable of fulfilling its obligations was not in fact a State as defined in international law, as in the case of the Saharan Arab Democratic Republic, which was epitomized by a band of self-declared leaders operating from elsewhere and financed and manipulated by a neighbouring country. The Moroccan autonomy proposal embodied a form of self-determination adapted to reflect current realities, while Morocco's pledge of massive funding for development of the southern provinces had already encouraged the homeward return of Saharans sequestered in the Tindouf camps and curbed the flow of terrorists towards the Sahara. Bearing in mind the affirmed desire of Saharans to remain Moroccan citizens and the quest for regional stability, the Committee should act to have the matter taken up by the Security Council, which had called for a political solution. Africa could withstand no more of the insecurity and war triggered by unsuccessful attempts at self-determination or independence. The right of autonomy sought by the Saharan majority wishing to live in peace and security must therefore be upheld over and above the claims of an illegitimate minority.

22. **Mr. Jensen**, speaking in his personal capacity as a former Head of Mission and Acting Special Representative of the Secretary-General for Western Sahara, said that the dispute over Western Sahara remained as entrenched as ever in a region where the security threats from terrorist groups called for concerted action to prevent a return to violence. The political solution sought by the Security Council, including through a revived role for the United Nations, now looked more hopeful following the visit by Secretary-General Ban Ki-moon to the Frente Polisario-run camps in March 2016. The Moroccan autonomy proposal indeed offered a promising starting point, particularly in view of the positive new reforms and measures under way in Morocco. Morocco had moreover expressed its intention to return to the membership of the African Union, which would be dependent on whether the motion to expel the Sahrawi Arab Democratic Republic succeeded, insofar as no two Union members could claim to represent the same State. A creative compromise would be needed in order to bridge the determination of Morocco and the aspirations of the Frente Polisario. While inaction may have been seen as a more advantageous option in the past, it was now unlikely to serve the interests of either party.

23. **Mr. Assor** (Surrey Three Faiths Forum) said that none of his past illustrations of the tragic plight of those incarcerated for over 40 years in the Tindouf camps, with its emotional, physical and psychological repercussions, had prompted decisive action by the Committee to address what he termed a murderous calamity. Calling for the closure of those dreadful camps, he urged the Committee to reflect on the latest proposal presented by King Mohammed VI of Morocco, which had been hailed as the most advanced yet for ending that calamity and bringing hope of a brighter future to the families in Tindouf, allowing them to join the others who had managed to escape in order to integrate into Morocco.

24. **Mr. Wilson** (International Sahrawi Friendship Association) said that the theft of natural resources was but one of the many human rights abuses endured by Sahrawis living under Moroccan occupation in Western

Sahara. A referendum was the key to bringing a conclusive end to all such abuses.

25. **Ms. Bahaijoub** (Family Protection), noting that rhetoric was used to gain advantage and control and did not equate to the truth, said that testimonies from all those who had observed and experienced the many injustices perpetrated in the Tindouf camps must be heeded. While Morocco was under constant scrutiny and working hard for an equal democratic country for all, the Frente Polisario continued to pursue a closed-door policy and should come under international pressure to conduct the long-requested census in those camps. The right to exercise freedom of movement, currently denied, must also be guaranteed and special protection provided to women against the sexual and social abuses to which they were subjected, notwithstanding claims by the Frente Polisario concerning the prominent role afforded to women in Sahrawi society. Conversely, the women in Western Sahara enjoyed the same rights as women in Morocco, especially through court protections under one of the most progressive family codes in the Arab world, and received social assistance from officially recognized organizations. Morocco was indeed striving to protect and improve the lives of its citizens as it implemented its autonomy plan, and women took an active part by voting and presenting themselves for election locally and nationally. Again in stark contrast, the late Secretary-General of the Frente Polisario had been in office for 40 years, and his successor had been the only candidate put forward.

26. **Ms. Warburg** (Freedom for All) said that living conditions were deteriorating for the thousands of refugees long confined by the Algerian-backed Frente Polisario to the Tindouf camps, where basic human rights, including freedom of movement, continued to be ignored. UNHCR should be granted immediate access in order to register and assess the needs of those refugees, who were dependent on humanitarian aid that was instead sold for profit by the Frente Polisario. She outlined the health problems affecting women and children in particular as a result of malnutrition, as well as the despair, destitution and dependency created by the lack of education and jobs, adding that the criminal activities of the Frente Polisario and its assistance to terrorist groups posed further dangers. Both serious and credible, the Moroccan plan for autonomy would create hope for the future by unlocking the Saharan region's entrepreneurial talents, reducing dependency and increasing stability and prosperity. The Sahrawis in Tindouf deserved no less than the Sahrawis living in southern Morocco; they must be liberated from the camps and reunited with their families.

27. **Mr. Ayachi** (Comité national algérien de solidarité avec le peuple sahraoui) said that, throughout the 41 years of the illegal occupation of Western Sahara by Morocco, the Sahrawi inhabitants had been daily subjected to oppression and gross violations of their most basic human rights. The natural resources of Western Sahara had also been shamelessly pillaged in violation of international law by Morocco, which furthermore used delaying tactics to forestall any serious formal negotiations, did all it could to prevent the holding of a self-determination referendum under United Nations supervision and persistently defied the international community. He added that claims concerning the diversion of humanitarian aid were unfounded, as such aid was distributed under the supervision of international NGOs and in the presence of the beneficiaries. As to the claim that the Algerian Government levied value added tax on goods destined for the camps, it was a total fabrication. In short, the United Nations must fulfil its commitment to organizing a referendum and justify the trust placed in it by Sahrawis when they had chosen peace over war in 1991.

28. **Mr. Al-Jabari** (Palestinian-Moroccan Friendship Society) said that the comprehensive revival taking place in the southern regions, which he himself had witnessed in 2015, was thanks to the enlightened policy pursued by King Mohammed VI of Morocco and the huge financial investments channelled by the Moroccan Government into the overall development of those regions. The Moroccan proposal for broad autonomy under Moroccan sovereignty offered the best solution to the dispute. Described as serious and credible, it had attracted wide international support and contrasted with the uncompromising attitude of the other party to the conflict. Moreover, no solution would be achieved unless Algeria shouldered its responsibilities as a major player in that conflict. For Morocco, the Saharan question was an existential one and not one of boundaries or of negotiating its unity and sovereignty.

29. **Mr. Bessedik** (Algeria), speaking on a point of order, stressed that it was impermissible to refer to Algeria in the meeting room as anything other than an observer to the conflict and requested speakers to respect that rule.

30. **Mr. Laasel** (Morocco), also speaking on a point of order, declared it wrong to state that Algeria was not a party to the conflict, bearing in mind that it had initiated military action against Morocco when Western Sahara had been returned to it in 1975.

31. **Mr. Bessedik** (Algeria) said that he had not made any statement; he had simply raised a procedural point of order that he wished to see respected.

32. **The Chair** reminded speakers to limit their statements to the agenda item under consideration.

33. **Mr. Laasel** (Morocco) said that his point of order had been in response to the comment made and recalled that, in the previous meeting of the Committee, there had been no interruption of statements containing allegations against States. It would be preferable, he said, to emulate that example of respect for freedom of expression by listening with attention to the testimonies of independent petitioners concerning an issue with which they were fully conversant. As to his point, he added that even the United Nations Secretary-General considered Algeria to be a party to the conflict.

34. **Mr. Bessedik** (Algeria) reiterated that he had spoken only to ensure respect for the procedure whereby no petitioner was permitted to mention Algeria except in the context of its recognized status as an observer to the process under way.

35. **Mr. Laasel** (Morocco) recalled that, in addressing the General Assembly in 1974, the Permanent Representative of Algeria had described his country as a concerned party in the matter.

The meeting was suspended at 4.30 p.m. and resumed at 4.40 p.m.

36. **Mr. Al-Jabari** (Palestinian-Moroccan Friendship Society), resuming his statement, said that the flagrant human rights violations against those imprisoned in the Tindouf camps went unexamined and that it was time to carry out a census of the camp inhabitants, under international supervision, in order to determine their precise numbers and prevent humanitarian aid intended for the camps from being trafficked to neighbouring countries.

37. **Ms. Riveros**, speaking in her personal capacity as a political scientist and consultant, said that a realistic approach to the Western Sahara issue was needed, and she highlighted the democratic transition under way in Morocco, evidenced inter alia by free elections, lively public debate and a vibrant civil society. The socioeconomic challenges facing the southern provinces had been appropriately identified, she said, with a view to promoting economic growth, employment and well-being through an integrated and participatory development model, with a particular focus on youth. In addition to initiatives for encouraging business and hence job creation and wealth, multiple economic sectors were undergoing a revival and the political and legal framework in place empowered the population to take charge of its own development. The establishment of numerous cultural, sports and education facilities had been especially beneficial for youth, women and indeed micro-enterprises. In short, the region's overall development continued unabated despite the persistent conflict. Even previous members of the Frente Polisario, both men and women, were now part of Moroccan political life after participating in the provincial elections held in 2015.

38. **Mr. Vargas Osorio** (Observatorio de la Democracia) stated that the Frente Polisario could not legitimately claim to represent the inhabitants of Western Sahara, the vast majority of whom freely exercised their civil, political and socioeconomic rights within the legal framework of Morocco and recognized the sovereignty of Moroccan laws and institutions. At the same time, the Frente Polisario held captive a group of Saharan citizens, dividing them from their families in Morocco, in an attempt to upset the status quo in the region. Indeed, a comparative assessment of democracy indicators conducted by his organization showed that the representativeness of the Frente Polisario as a political movement was now virtually non-existent. The inhabitants of the southern provinces of Morocco participated regularly in elections. The usual high turnout of that electorate, including in the referendum of 2011 on the new Moroccan Constitution, clearly indicated its firm commitment to its community and to strengthening democracy in Morocco, a nation upheld in international circles as a model for political

change guaranteeing the exercise of fundamental rights to the entire population and thus enabling full participation by all in working for regional peace and stability.

39. **Ms. Boussouala**, speaking in her personal capacity as a civil society activist and a Sahrawi, expressed gratitude to all donors of humanitarian assistance for the Sahrawi families living in camps, which helped to alleviate their suffering in the harsh desert climate. It was disconcerting, however, that such donors should be called upon to assist a population about whom so little was known in terms of their numbers, basic needs and desire to leave the camps. She therefore wondered what stood in the way of conducting a census, which was the normal procedure in the case of refugees elsewhere, together with interviews to identify their needs and desires. The major priority for the Sahrawis trapped in the equivalent of an open prison, however, was to acquire their freedom and escape the siege imposed on them for over 40 years, as it was not hunger but confinement that would eventually kill them.

40. **Mr. Vázquez de Lara Cisneros** (Autonomous University of Puebla, Mexico) said that the new Moroccan Constitution attached particular importance to the cultural identity of the southern provinces. The national cultural policy developed accordingly guaranteed cultural rights and protection from social, political and economic exclusion to their inhabitants. In thus helping to promote the unique facets of Sahrawi culture, including its Hassani elements, the Constitution had in turn helped to consolidate and preserve the national unity, identity and heritage by recognizing cultural diversity and bringing together all the multiple components mentioned in its preamble. Cultural activities were consequently flourishing in the southern provinces, which had seen an increase in the grants made to organizations involved in promoting the Hassani culture. The Moroccan autonomy plan had also mirrored the Constitution in taking into account the components of the country's rich cultural identity, stating as it did that the populations of the proposed Sahara autonomous region should exercise power within its boundaries over cultural affairs, including the Hassani cultural heritage.

41. **Mr. Agozino** (Instituto Argentino de Estudios Geoestratégicos y Asuntos Políticos) said that, as recognized in relevant international treaties and other instruments, the Sahara was an inseparable part of Morocco and had its own ethnic and religious identity. As determined by the International Court of Justice, moreover, Morocco had the right to defend its territorial integrity and its sovereignty over the Sahara, as well as a duty to seek a peaceful and realistic solution to the dispute. It had therefore proposed its constructive solution aimed at providing the hope of a better future for those living in its southern provinces. By contrast, the Frente Polisario had no legal basis for claiming to represent the Saharan people, some of whom it controlled with an iron fist in the Tindouf camps. It was a separatist movement that threatened peace and security in the region and beyond, misappropriated for its own benefit funding and aid intended to relieve the suffering of the camp inhabitants, and engaged in criminal activities from drug trafficking to abduction. Its members, including its Secretary-General, must be held accountable for their crimes against humanity.

42. **Ms. Cosentino** (John F. Kennedy University of Argentina) said that children constituted the majority of the indeterminate number of Saharans held against their will in indescribably appalling conditions in the Tindouf camps. In addition to the risks associated with living in a militarized zone, the children suffered from material deprivation, preventable diseases and lack of education. The Frente Polisario cared nothing for them, exploiting them only for propaganda purposes and subjecting them to human rights abuses. Not only traumatized by their experiences, the children were also unable to realize their own identities and were often indoctrinated by the Frente Polisario to reject the families from whom they were separated. The Frente Polisario furthermore robbed many of their childhood, whether by recruiting them as child soldiers, forcing them into marriage or keeping them in slavery. In the light of those circumstances, she urged the Committee to make a strong call for action towards organizing a census of the population in the Tindouf camps.

43. **Mr. Vidal Garrido**, speaking in his personal capacity as a journalist and researcher, said that the Frente Polisario had effectively used propaganda since the start of the conflict in Western Sahara to distort and fabricate facts so as to advance its own agenda and conceal the penury suffered in the Tindouf camps, where only its leaders had access to rights and

economic resources. An example of the manipulative strategies employed by the Frente Polisario was its propensity for treating any Saharan who died a violent death as a martyr. Describing one such incident on which he himself had reported, he related the story of Mohamed Lamin Haidala, a young Saharan with a violent criminal record, including for drug crimes and knife offences, for which he had been imprisoned on numerous occasions. Following his death from brutal injuries sustained in the process of a drug-fuelled robbery attempt in his home town of Laayoune, however, he had been upheld as a revolutionary martyr by the Frente Polisario, which was obsessed with portraying the southern provinces as devoid of all human rights.

44. **Ms. Sams** (Antioch Community Church) said that fair and unbiased reporting on human rights issues in Western Sahara and the Tindouf camps, as called for by the Secretary-General, would require investigations on the ground in both locations in order to increase credibility and dispel any perception of bias. Two weeks of monitoring by an organization that might be seen as biased, such as Human Rights Watch, did not constitute a fair appraisal of rights, freedoms and abuses, especially when replies given by the Frente Polisario to questions about camp activities were taken at face value. An independent investigative organization, on the other hand, would not accept such replies as facts. She asked whether it was Algeria that determined the rule of law in the Tindouf camps, noting that the recent country report on Algeria published by the United States State Department included many examples of human rights abuses. In short, the United Nations should demonstrate its impartiality by monitoring such abuses in a balanced manner, including through parallel reporting.

45. **Ms. It** (Ar-Raniry State Islamic University, Aceh, Indonesia) said that the negotiation of a peaceful settlement to all disputes involving self-determination could be successfully concluded by following a road map for achieving minority and other rights, such as participation in political and economic life. Self-determination created the foundation for civic nationalism, in which citizenship was based on a set of common beliefs, and a modern discourse on democracy and human rights was underpinned by enlightenment. Lessons drawn from the freedom struggle waged in Aceh were that strong mediators and a peace settlement attractive to both disputing parties were essential to ending conflict, as was the involvement of the affected communities in addressing and resolving the root cause of disagreement. She suggested that the success achieved in the case of Aceh would inspire the international community to act on the Moroccan proposal for Saharan self-determination, enabling the Saharans in the disputed Territory to live peacefully and gain their dignity and freedom.

46. **Ms. Sherrill** (Common Ground Ministries), suggesting solutions to four areas of concern with a view to promoting a peaceful settlement of the conflict, said that first of all the lack of security threatening stability in Western Sahara and all countries in the Sahel-Sahara region should be urgently addressed. Criminal networks, for example, were now actively recruiting Tindouf camp inhabitants, in particular the youth, to engage in the illegal trade now flourishing along the major smuggling routes located near the camps. Secondly, the family visits organized under the UNHCR confidence-building measures programme should be resumed and also include all separated family members. Thirdly, the United Nations should show more robust support for the construction of a road from Smara in Morocco to Tindouf in Algeria and, fourthly, transparency should be increased to ensure that human rights abuses committed by the Frente Polisario were fully and accurately reported and placed on record. She urged the pursuit of a speedy resolution to the conflict and an end to the status quo of merely attempting to make camp inhabitants "comfortable".

47. **Mr. Ayala Ochoa** (Consejo Peruano de Solidaridad con el Pueblo Saharaui), speaking from the perspective of someone working to defend and cultivate the values of freedom, peace and development, said that people anywhere in the world, including the Sahrawi people, should enjoy the same right to forge their own future. Regrettably, however, neither the purposes and principles of the United Nations nor the Millennium Development Goals had been implemented to the benefit of the Sahrawis. That the United Nations Mission for the Referendum in Western Sahara should lack the mandate to monitor the observance of human rights was unfathomable, as was the violation of the ceasefire by Moroccan armed forces. The occupier of Western Sahara had waged a well-financed propaganda war, committed crimes against the Sahrawi people and sown the area with

landmines. He therefore called for international recognition of the Sahrawi Arab Democratic Republic, more emphasis on the human rights of its population in the foreign policies of the United States, France and Spain and a zero-tolerance approach by the European Union to illegal trade agreements that opened the way to trafficking in the natural resources belonging to the Sahrawi people.

48. **Mr. Moraga Duque** (Rehabilitación y Esperanza), pointing out the intolerant treatment of Tindouf camp inhabitants at the hands of leaders interested only in their own political ends, said it was widely believed that the proposal for the political, economic and administrative autonomy of the Western Sahara should be accepted. Indeed, that initiative had been enthusiastically welcomed as serious and realistic, a description that did not apply to the much-repeated idea of holding a referendum, which was now an outdated concept. The creation of a small ethnic State would be non-viable and inevitably destabilize a region already at risk from extremism, whereas the proposed autonomy plan embodied a form of self-determination in which sociocultural specificities were respected within a framework of political stability. Action must be taken to transform the life of misery endured by those sequestered in the Tindouf camps into one of peace, justice and development. For their sake, it was now more essential than ever to end the conflict by recognizing that the full autonomy for the Saharan population that offered the fairest and most realistic solution was already being put into effect.

49. **Mr. Pannocchia**, speaking in his personal capacity as a journalist and writer, said that the lack of any census of the Tindouf camp population was a major obstacle to peace and stability in the region and had facilitated the diversion of international humanitarian aid to foreign markets, where it was sold for the benefit of senior Algerian and Frente Polisario officials. It was therefore hardly surprising that those officials had consistently opposed the conduct of any such census, despite the many requests made by United Nations organizations and agencies with a view to determining the needs of camp inhabitants. Opposition to a census also encouraged the growth of criminal activities and recruitment of camp inhabitants by terrorist organizations. He therefore called on Algeria to assume its responsibilities, together with the Frente Polisario, by authorizing a census in the Tindouf refugee camps.

50. **Ms. Pellegrin** (Mimouna) called for action to end the suffering of the Sahrawi women sequestered in the Tindouf camps, who daily suffered all manner of psychological, physical and sexual abuse and whose Frente Polisario torturers escaped international condemnation. Those vulnerable women lived in permanent insecurity at the mercy of the separatist leaders, who subjected them to the heinous crime of forced pregnancy. Indeed, they were treated as procreation machines to ensure higher numbers in the camps and thus support Frente Polisario propaganda concerning the need for increased humanitarian aid. Women were badly affected by the blatant diversion of food aid from the camps, by the harsh climatic conditions and by deprivation of their most fundamental rights. Citing the occurrence of several cases of rape, she said that the perpetrators of such crimes, who included the new Secretary-General of the Frente Polisario, must answer in court for their actions. A number of Sahrawi women had also been unlawfully detained when visiting the camps, which was indicative of the restrictions placed on freedom of movement for women.

51. **Mr. Jamison**, speaking in his personal capacity as an international business representative based in Gibraltar, said that he had seen no living conditions as harsh as those endured by the Sahrawis in any of the many diverse countries he had visited in connection with his humanitarian work and participation in religious dialogue. Rather than point fingers, however, it was time to seek a viable solution. He had found the Tindouf camp leaders to be hospitable on the several occasions he had stayed with them when taking part in the peace dialogue organized annually among Muslims and Christians to discuss their faiths and learn from each other. The open nature of that dialogue among imams, Frente Polisario leaders and other Sahrawi officials indicated an ability to live in harmony with others who thought differently. Remembering that most of the camp inhabitants continued to suffer in abject poverty while waiting to return to the land they had been forced to leave over 40 years earlier, he expressed the hope that, in 2016, the United Nations would provide safety, justice and security for the Sahrawi people.

52. **Ms. Fabian** (Data Palm Consulting), recalling the harsh living conditions in the Sahrawi refugee camps she had visited, lauded the generous hospitality graciously shown to her, a stranger, by a people who had so little themselves. They had welcomed her, shared with her what little food and water they had, listened to her and invited her to return. Her reason for visiting the camps had been to attend the annual peace dialogue described by the previous petitioner. She, too, had been impressed by the exchange about religion that had served as a bridge between people of different faiths and cultures, which was particularly relevant at a time when refugees were entering other cultures at a tremendous rate. With their kindness and their courage in waiting so long for a peaceful solution to their conflict, the Sahrawis had much to teach the world about peace. She called on the Committee to find a way for them to return to their homeland of Western Sahara, for there was no greater joy than home.

53. **Ms. Marino** (City College of New York) said that a better foundation for the resumption of negotiations would be provided if the Committee were to move on from violations of international instruments committed long ago and instead focus attention on the health and well-being of the Sahrawi refugees. While the Moroccan autonomy proposal presented the only viable solution for both parties, the autocratic Frente Polisario was not an advocate, perhaps signalling that it had only its own interests at heart. Its purely ideological cause lacked practicality, its leaders were corrupt and its camps rife with human rights violations. In contrast, the sovereign State of Morocco was steadily democratizing and its citizens were enabled to become productive members of a society already comprising a significant Sahrawi community. She suggested that it would be useful to redefine autonomy and review the Moroccan autonomy plan, with particular attention to paragraphs 12, 13 and 18. For its part, Morocco must work harder to develop its southern regions and should closely monitor the allocation of a precise budget for that purpose.

54. **Mr. El Ahmadi**, speaking in his personal capacity as a professor, and highlighting the role of the impending parliamentary elections in Morocco in further consolidating the democratic process under way in that country, said that his fellow inhabitants of the Saharan provinces had participated in increasingly record numbers in electoral campaigns and in voting ever since the region had been returned to Morocco. He recalled the historic regional and communal elections, held in September 2015, in which representatives had been elected to the new constitutionally-mandate regional councils vested with broad powers. True Saharans had won the seats in the regional councils of the Saharan provinces, where they now bore the heavy responsibility of overseeing implementation of the advanced regionalization plan. Massive government funding was also being ploughed into a new development model for those southern provinces, in another example of the measures being taken to strengthen the only viable democracy in north-west Africa, which remained prey to violence, instability and fragmentation. The Frente Polisario, working to halt Morocco's momentum, should instead cease the relentless pursuit of its senseless, dangerous and indeed unsuccessful games.

55. **Ms. Lenz** (Not Forgotten International) said that she spoke from the unique vantage point gained by her organization's long-standing presence as part of the Sahrawi refugee community that it served. The greatest concern was the cruel impact that the Moroccan occupation of their homeland had on Sahrawi youth, whose frustration, anger and bitterness over the stalemate was deepening into hostility, rage and hopelessness. They were moreover being wooed into violence by radical groups, including from within Morocco itself. Many were uniting, however, to counter that threat and to fight peacefully and determinedly for justice for the Sahrawi people by raising their voices to tell the world, while awaiting their referendum, about the unique Sahrawi identity and culture and the desire for a Sahrawi nation. Those voices must be closely heeded, as the present generation in the camps stood at a crossroads between a future of peace and human dignity or of tragic, violent and uncontrollable disaster. In that light, she urged realization of the recognized legal right of the Sahrawi people to a referendum.

56. **Ms. Basinet**, speaking in her personal capacity as a Nobel Peace Prize-nominated actress, singer and activist, said that she pondered the cost of a voice denied and of a people unable to participate in media discourse, to trade in the value of its intellectual property and physical assets and to reap the remuneration from that trade. An organic and orchestrated voice was now more important than ever

for the future. People could ill afford to remain voiceless, particularly in a climate where the division between the few and the many had become a disease of ego and arrogance. Current examples showed that the few were rewarded, the vulnerable were trampled on and alienating biases continued to be created. Her visit to Sahrawi refugees had taught her, however, that the world could not flourish when whole societies were alienated; that enemies, too, must be embraced as part of the solution; that self-determination had helped to give voice to the voiceless; and that strength of heart, soul and mind against all opposition must be retained. In a word, the exclusion of entire communities from the dialogue of peace must stop.

57. **Mr. Boudjedra**, speaking in his personal capacity, appealed for the inclusion of youth in the policymaking and decision-making processes under discussion. The people from Western Sahara, the last Non-Self-Governing Territory in Africa, had been forced for the past 40 years to live as refugees or under colonization, deprived of the right to live freely on their land and to govern themselves. Young ambitious Sahrawis had dreams and expectations but were disillusioned by the toughness of camp life or the oppression of Moroccan rule, with death or abduction a daily fear. They were denied their legitimate right to express themselves, defend their identity, move freely and choose their government as empowered citizens. The inevitable result of such circumstances was growing restlessness, anger, frustration and despair, which opened the way for radicalization and manipulation, with potentially tragic consequences for an increasingly unstable region. History had proved that security and stability were attainable only through justice, equality and good governance. The status quo in the last remaining colony in Africa was therefore no longer sustainable.

58. **Mr. Merghoub**, speaking in his personal capacity as a scientific and medical researcher, said that the right of nations to self-determination was indisputable and a cardinal principle of international law denied for many decades to Western Sahara by those in control of the contested Territory, which in turn deprived Sahrawis of such basic human rights as freedom of expression and association, privacy and health. The Sahrawi people had been victims of police misconduct, torture and an inequitable justice system, while also being prevented from gathering in support of self-determination. The welfare of the Sahrawi refugees living in camps was furthermore an utmost concern. Sahrawis needed stability, security and room to flourish but had been denied their cultural and civil rights and faced rejection if ever they applied for political asylum. He added that NGOs had frequently denounced the violations of their rights and noted that the European Union had never recognized Western Sahara as part of Morocco.

59. **Mr. Sassi**, speaking in his personal capacity, and underscoring the inalienable right of colonial peoples to self-determination, said that the international community must be alert to the exploitation of the natural resources belonging to the Sahrawi people, which had recently been declared illegal by the European Court of Justice. It must also condemn the systematic destruction of Sahrawi society by Morocco, which had occupied its territory, annihilated all entities that might claim to represent it and denied its right to self-determination, in violation of the most basic rules of international law, while the world stood by silent. Morocco had furthermore opposed the promised referendum by all available means, including human rights abuses and indiscriminate criminal violence. Given the broader regional repercussions of the dispute, some believed that the African Union, of which the Sahrawi Arab Democratic Republic was a founding member, should play a greater role in seeking a resolution. It was time for the international community to shoulder its responsibility to free the last colony in Africa and end the prolonged suffering of the Sahrawi people.

60. **Mr. Ortiz Asín** (Forum Canario Saharaui), describing the unimaginably inhospitable and insanitary conditions in which Sahrawis had been forced to live in Tindouf for over 40 years, said that a high proportion of the women suffered from anaemia and the children from malnutrition and chronic disease. Frente Polisario leaders were responsible for the diversion of international aid to sub-Saharan markets in such quantities as to prompt questioning of the senders by European officials and international NGOs. Sahrawi youngsters born and raised in exile were becoming increasingly desperate, which undoubtedly created a breeding ground for fanaticism and violence in the absence of the hope that the Moroccan autonomy proposal would provide. Camp inhabitants were deprived of the most fundamental rights, including

freedom of movement, which was denied in particular to women returning from time spent with host families in Spain. The Frente Polisario leaders were ultimately responsible for such deprivation of liberty, which should be punished as a crime. The Sahrawi people were well aware of the reasons behind the situation in the camps, which included the decadence and autocracy of the Frente Polisario and the lack of trust in its leaders. The Moroccan commitment to human rights and economic growth had benefited the Sahara region and would surely promote the return of those held in the infernal camps in Algeria, as well as their socioeconomic prosperity.

61. **Ms. Brahim-Bounab** (Member of the Algerian Parliament) said that the Sahrawi people had endured 40 years of deprivation at the hands of an oppressive occupier that had, among other things, manipulated the international community and impeded the right of the Sahrawi people to self-determination. The occupier was now impeding the United Nations work in Western Sahara and violating the ceasefire in place, thereby reneging on its commitment to hold a referendum on self-determination. Algeria was not a party to the dispute and worked constantly to establish good-neighbourly relations, sparing no effort to support the quest for a just and lasting solution guaranteeing the right of the Sahrawi people to self-determination. Measures should now be taken to speed up the referendum; establish an independent and impartial international mechanism to monitor human rights in the occupied territories of Western Sahara; and intensify all efforts to halt the attacks by the Moroccan occupier on the Sahrawi people. In conclusion, she paid tribute to Sahrawi women for their courage and steadfastness in their struggle for liberation and freedom.

62. **Mr. Lyes** (Member of the Algerian Parliament) said that the Sahrawi people had long suffered after their sacrifices for the liberation of their homeland and were now engaged in a peaceful struggle for self-determination and a just settlement to the pending issue of the last colony in Africa. He condemned the flagrant human rights violations, in particular the crimes against humanity, committed in Sahrawi territories by the occupier and agreed with the previous petitioner concerning the establishment of a human rights monitoring mechanism and the need to speed up the referendum. Action must also be taken, he added, to protect Sahrawi civilians; release all Sahrawi detainees; condemn all violence, torture and extrajudicial arrests and trials carried out by the Moroccan armed forces; and stop the persistent looting of the natural resources of the Sahrawi people. Algeria affirmed its long-standing support for persecuted peoples everywhere. It was indeed not a party to the dispute and called for a just and lasting solution guaranteeing to the Sahrawi people their right to self-determination as an irrevocable choice.

The meeting rose at 6.05 p.m.